



25       **WHEREAS**, the ABIA Fuel Farm EA’s Proposed Action is in two phases:  
26       (1) an expansion within the footprint of the existing fuel farm involving an  
27       additional interim fuel delivery truck offload rack and a new ground service  
28       equipment fuel service station, consisting of two, separate 10,000-gallon above  
29       ground tanks, one for diesel and one for gasoline, and (2) development of the fuel  
30       farm in on the west side of the existing runway, consisting of two 1.5-million-  
31       gallon fuel storage tanks, new offload racks, and supporting infrastructure and  
32       equipment;

33       **WHEREAS**, the ABIA Fuel Tank EA’s Proposed Action specifically states  
34       that “[t]he existing fuel tanks will remain in operation until airfield improvements  
35       require them to be removed”;

36       **WHEREAS**, on October 30, 2018, during a regular Council work session  
37       meeting, City Council was presented with an Airport Layout Plan graphic, but not  
38       a draft of the 2040 Master Plan guidebook, which includes a discussion of  
39       alternatives analyzed, among other topics;

40       **WHEREAS**, the Airport Master Plan was published in December 2018;

41       **WHEREAS**, the Airport Master Plan included an alternatives analysis that  
42       considered only one scenario to plan for aircraft fueling: expansion of the existing  
43       fuel farm area that will provide capacity for the next 20 years; beyond the 20-year  
44       time horizon, to relocate the fuel facility to the west side of the airport;

45       **WHEREAS**, the Airport Master Plan considered that the existing fuel farm  
46       will only need to be relocated when the third parallel Runway 17C-35C is  
47       constructed in the future, and the latest Airport projects underway do not yet  
48       include design or construction of the third runway;

49

50       **WHEREAS**, the Airport Master Plan states in the alternatives analysis that  
51       “this environmental evaluation is intended to support the master planning process  
52       and does not assess potential environmental impacts at the NEPA level;”

53       **WHEREAS**, neither the Airport Master Plan nor the ABIA Fuel Farm EA  
54       considered any other alternative locations to which to relocate the fuel facility  
55       other than the west side of the airport;

56       **WHEREAS**, the Airport Master Plan acknowledges that the community  
57       closest to the proposed fuel farm is considered an Environmental Justice (EJ)  
58       community and that future studies would be required to determine the potential  
59       impacts of airport development activities on EJ communities per Executive Order  
60       12898, which requires all federal agencies to consider whether their programs,  
61       policies, and activities would have disproportionately high and adverse human  
62       health or environmental effects on minority and low-income populations;

63       **WHEREAS**, the EA failed to conduct the EJ analysis required by Executive  
64       Order 12898, and instead summarily concluded that environmental justice impacts  
65       are not anticipated because the fuel farm relocation project will be contained  
66       primarily on airport property;

67       **WHEREAS**, EPA guidance documents recognize the need for meaningful  
68       engagement with the affected community, particularly where those communities  
69       are EJ communities, before decisions are made regarding a development that may  
70       affect those communities;

71       **WHEREAS**, “meaningful engagement” with the affected community  
72       generally includes early and consistent engagement with the affected community

and ensures that: (1) the potentially affected populations have an appropriate opportunity to participate in decisions about a proposed activity that may affect their environment and/or health, (2) the population's contribution can influence the proposed decisions, and (3) the concerns of all participants involved will be considered in the decision-making process;

**WHEREAS**, the affected community was not meaningfully engaged before the EA was prepared for the proposed relocation of the fuel farm;

**WHEREAS**, the Airport is currently subject to ABIA Development Ordinance 20120628-014, which grants specific variances to City code related to development within the Critical Water Quality Zone and Water Quality Transition Zones;

**WHEREAS**, in October 2013, City Council approved a new Watershed Protection Ordinance with the intention of improving creek and floodplain protection and simplifying development regulations by minimizing the impact on the ability to develop land within the City of Austin;

**WHEREAS**, the current ABIA Development Ordinance took effect July 9, 2012, meaning the Airport is not subject to the 2013 Watershed Protection Ordinance;

**WHEREAS**, the ABIA Development Ordinance requires administrative review and approval at least every ten years, and the Airport Master Plan recommended that prior to significant construction of projects identified within the first phase of implementing the Master Plan, ABIA modifies the current development ordinance to take into account the latest Watershed Protection Ordinance and other relevant provisions in City Code;

97           **WHEREAS**, it is essential that we understand the legacy of environmental  
98 injustice and racism associated with historical major oil company gasoline tank  
99 farm locations in East and Southeast Austin; and

100           **WHEREAS**, the City of Austin and AUS are desirous of providing  
101 information to the residents of Southeast Austin related to the Jet-A fuel storage  
102 project, to support the City's commitment to preserving environmental altruism;  
103 and

104           **WHEREAS**, communities of color disproportionately experience the  
105 impacts of environmental injustices leading to health risks; and

106           **WHEREAS**, the Strategic Direction 2023's Mobility Strategy supports the  
107 need to "ensure our transportation network optimizes community safety, including  
108 street safety, emergency response, flood risk, disaster resiliency, and public  
109 health"; and

110           **WHEREAS**, the Strategic Direction 2023's Health & Environment Strategy  
111 supports the need to "promote healthy living and well-being with a particular focus  
112 on areas and communities with high rates of chronic disease and high-risk  
113 behaviors who lack access to services"; **NOW, THEREFORE,**

114 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

115           The City Manager is directed to instruct the Department of Aviation to  
116 execute and oversee the following:

- 117           (1) Strike authorization from the 2020 ABIA Fuel Farm EA to relocate  
118 the fuel facility to the west side of the Airport and until further  
119 authorization, limit all expansion of fuel storage to the current  
120 footprint only;

- 121 (2) Identify at least three possible alternative locations to where the fuel  
122 facility could be relocated in phase two of the implementation, not  
123 including the west side location identified as the Proposed Action in  
124 the 2020 ABIA Fuel Farm EA;
- 125 (3) Prepare a preliminary draft Environmental Assessment considering  
126 these possible alternative fuel facility locations for purposes of  
127 receiving public input;
- 128 (4) Include in the EA a robust environmental justice analysis with the  
129 contribution from the City of Austin's Equity Office and local  
130 Environmental Justice experts;
- 131 (5) Provide for robust City of Austin-led public participation, including  
132 meaningful engagement with the affected communities, on the  
133 preliminary draft EA, and
- 134 (6) Bring back to this Council for approval, the Proposed Action  
135 alternative, prior to publishing the EA for notice and comment  
136 pursuant to NEPA.

137

138 ADOPTED: \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_

139 Myrna Rios  
140 City Clerk